

**ADOPTION OF AN AMENDMENT TO CHAPTER 112  
(ZONING) OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium, Lobby Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia, on Monday, June 26, 2006, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment to Chapter 112 (Zoning) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX  
COUNTY, VIRGINIA:**

Amend Chapter 112 (Zoning Ordinance), as follows:

**Amend Article 17, Site Plans, Part 2, Required Improvements, Sect. 17-201, Improvements to be Provided, by revising Par. 3 to read as follows:**

In furtherance of the purposes of this Ordinance and to assure the public safety and general welfare and except as provided for in the Commercial Revitalization District provisions, no site plan or minor site plan shall be approved unless the Director is assured that the following improvements either exist or will be made or the Director has established that the requirement for the improvements may be modified or waived, based on information provided by the applicant, and a determination by the Director that such improvements are unnecessary, and such modification or waiver will not adversely affect other required improvements and compliance with all other applicable requirements. The Director may attach conditions to any such modification or waiver to assure that the results of the modification or waiver will be in accordance with the purpose and intent of this Part:

3. Construction of vehicular travel lanes, service drives, driveways or other access connections, which will permit vehicular travel on the site and to and from adjacent properties in accordance with the following:
  - A. Adjacent to any primary highway, and generally parallel thereto, a service drive shall be constructed, and wherever possible, it shall connect with a service drive on adjacent properties. Such service drive shall be designed to be dedicated to the Virginia Department of Transportation, shall be dedicated for public use as a public road and the underlying land shall be conveyed to the Board of Supervisors.
  - B. Adjacent to any minor arterial or collector street, a travel lane not less than 6.60 meters, or the English equivalent, in width shall be constructed to afford access to adjoining properties.
  - C. Notwithstanding Paragraphs A and B above, service drives shall not be required adjacent to any street designated as a Virginia by-way by the Commonwealth of Virginia Transportation Board or adjacent to the Dulles Toll Road (Route 267). In addition, the service drive requirement may be waived by the Board in conjunction with proffered condition, development plan or special exception approval when it can be demonstrated that the provisions of Paragraphs D(1) and D(2) or Paragraphs D(1) and D(3) below can be satisfied.
  - D. The Director may waive the requirement for constructing a travel lane as is set forth in Par. B above when:
    - (1) There is no existing or proposed vehicular travel lane abutting the subject property on either side, and
    - (2) The adjoining property(s) is used or zoned for single family detached dwellings, or
    - (3) The adjoining property(s) is occupied by a given use, which by its nature would suggest that there will be a limited desire for travel between such use

and the one proposed.

**Amend Article 20, Ordinance Structure, Interpretations and Definitions, Part 3, Definitions, by revising the definition of Street, Primary Highway to read as follows:**

- STREET, PRIMARY HIGHWAY: Any street so classified by the Virginia Department of Transportation, bearing a route number less than 600 or greater than 7000. Primary highways shall not include interstate highways.

**This amendment shall become effective on June 27, 2006 at 12:01 a.m.**

**GIVEN under my hand this 26<sup>th</sup> day of June, 2006.**

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**NANCY VEHR**  
**Clerk to the Board of Supervisors**